

J. Stephen Simms (*pro hac vice*)  
 Gary C. Muphy (*pro hac vice*)  
 Simms Showers LLP  
 201 International Circle, Suite 230  
 Baltimore, Maryland 21030  
 443-290-8704  
 Facsimile 410-510-1789  
[jssimms@simmsshowers.com](mailto:jssimms@simmsshowers.com)  
[gcmurphy@simmsshowers.com](mailto:gcmurphy@simmsshowers.com)

Marisa G. Huber  
 GIBSON ROBB & LINDH LLP  
 1255 Powell Street  
 Emeryville, California 94608  
 Phone: (415) 348-6000  
 Facsimile: (415) 346-6001  
 Email: mhuber@gibsonrobb.com

Attorneys for Plaintiff  
 Spinnaker Equipment Services, Inc.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

Spinnaker Equipment Services, Inc., a  
 California corporation,

Plaintiff,  
 v.

Pan Ocean Container Supplies Co., Ltd.,  
 a Chinese limited company,<sup>1</sup>

Defendant.

Case No. 25-cv-782

IN ADMIRALTY, Fed. R. Civ. P. 9(h)

**MOTION TO VACATE DEADLINES  
 PENDING SERVICE OF PROCESS ON  
 DEFENDANT IN CHINA**

Plaintiff Spinnaker Equipment Services, Inc. (“Spinnaker”) hereby moves for the dismissal of the current deadlines set forth in the Court’s January 27, 2025 Order [D.I. 13] for ADR certification and vacating the initial case management conference currently set for April

<sup>1</sup> Garnishee CAI International, Inc. was dismissed on February 28, 2025 [D.I. 33] and Garnishees Textainer Ltd., Textainer Equipment Management (U.S.) Ltd., Textainer Equipment Management (U.S.) II LLC were dismissed on March 6, 2025 [D.I. 37]

1 28, 2025.

2 Spinnaker filed its Verified Complaint January 23, 2025 [D.I. 1]. That complaint was  
3 filed during the pendency of the decision in the Hong Kong court regarding Pan Ocean's  
4 application for leave to appeal that Court's July 9, 2024 decision granting a Judgment to  
5 Spinnaker.

6 The Court issued its Order Setting Initial Case Management Conference and ADR  
7 Deadlines on January 27, 2025 [D.I. 13], the first of which is April 7, 2025 for filing the ADR  
8 Certification.

9  
10 The Hong Kong court issued its decision denying Pan Ocean's application on February  
11 14, 2025. Spinnaker filed an Amended Verified Complaint on February 25, 2025. The Summons  
12 and Amended Verified Complaint were translated to Chinese and, pursuant to the Hague  
13 Convention on Service Abroad, sent to the International Legal Cooperation Center (ILCC) in  
14 the Ministry of Justice of China on March 24, 2025 for service on Pan Ocean. Per the HCCH  
15 practical information, the time for execution of the request is "around 6 months".<sup>2</sup>  
16

17 Until Pan Ocean is served, and counsel for Pan Ocean enters an appearance, the case  
18 management events outlined in the Court's January 27, 2025 Order cannot be completed.  
19 Spinnaker, therefore, respectfully requests the deadlines set forth in that Order be vacated and  
20 the initial case management conference set for April 28, 2025 be cancelled.

21 Date: April 3, 2025.

22 Respectfully submitted,

23 GIBSON ROBB & LINDH LLP

Simms Showers LLP

24 Marisa G. Huber  
25 mhuber@gibsonrobb.com

26 /s/ J. Stephen Simms  
J. Stephen Simms (*pro hac vice*)  
Gary C. Murphy (*pro hac vice*)

27  
28 <sup>2</sup> <https://www.hcch.net/en/states/authorities/details3/?aid=243>.

Spinnaker Counsel

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